

States required by law” and that the “filing fee must be waived.” [Id.]. The Clerk sent Plaintiff a Notice of Deficiency, directing him to either pay the filing fee or the required application to proceed without prepayment of fees. [Doc. 4]. In response, Plaintiff filed an Application to Proceed in Forma Pauperis (“IFP Application”) [Doc. 8] and a “Motion/Declaration in Opposition,” [Doc. 7], in which Plaintiff argued that “the filing fee must be waived, and this Human/Civil Rights Lawsuit must be allowed to continue free of charged.” [Id. at 3 (errors uncorrected)]. Plaintiff argued that, pursuant to 28 U.S.C. § 3002(15)(A), “the filing fee is an unlawful ‘Judicial Tax.’” [Id.]. He further argued that “[a]ll Sovereign, private civilian inhabitants [of the United States] shall have free access to all Judicial Courts of the Several States.” [Id. at 1].

After receiving Plaintiff’s IFP Application, the Clerk ordered Plaintiff’s correctional facility to provide a certified copy of Plaintiff’s most recent trust fund account statement. [Doc. 9]. The NCDPS filed Plaintiff’s most recent statement, which showed a balance of \$1,335.77 as of August 16, 2021 and that Plaintiff received \$3,355.15 in income over the past six months. [Doc. 13 at 5]. On August 31, 2021, the Clerk, therefore, ordered that Plaintiff pay the full filing fee of \$350.00 within 30 days. [Doc.14]. Rather than pay the fee, Plaintiff moved the Court “to not charge the complete filing fee of [his] stimulus, only a percent.” [Doc. 15 at 2]. As grounds, Plaintiff stated that he

owes filing fees for other civil cases that are not paid off yet. He also stated that he is challenging the filing fee on a civil complaint and asked the Court in that action “to hold on charging the complete fee until [his] complaint is finish[ed].” [*Id.* at 1]. The Court denied Plaintiff’s motion and ordered that Plaintiff must pay the filing fee as ordered by the Clerk. [Doc. 16].

As of this Order, Plaintiff has not complied with the Clerk’s Order. The Court will, therefore, dismiss this action without prejudice.

ORDER

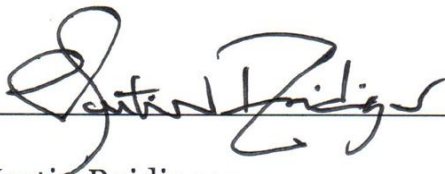
IT IS, THEREFORE, ORDERED that Plaintiff’s Complaint [Doc. 1] is dismissed without prejudice.

IT IS FURTHER ORDERED that Plaintiff’s motions [Docs. 3, 10] are **DENIED** as moot.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: October 26, 2021



Martin Reidinger
Chief United States District Judge

